

Local Criminal Rule 4.5
OMNIBUS HEARINGS

In every criminal case (except appeals) an omnibus hearing date will be set at the time of arraignment. Normally, it will be set for four (4) weeks from the date of arraignment. At the time of the hearing, it will be expected that defense counsel and Prosecuting Attorney will have already met and disposed of all matters on the omnibus application that can be disposed of and that plea bargaining will have been considered.

If there are any unresolved matters, they will be determined by the Court at the hearing. If it is necessary to hold a suppression hearing, a date certain will be set for such hearing at the time of the omnibus hearing. The defendant shall be present at the omnibus hearing.

If there will be no pre-trial motions or hearings in a case, and all parties agree that an omnibus hearing would not be beneficial, waiver of the hearing may be requested by written stipulation which shall be signed by counsel and defendant. Such a request constitutes an assurance that the case is ready for trial on the date set and that all pre-trial matters have been disposed of.

All rulings of the Court at omnibus hearings or otherwise made in the Criminal Motion Department shall be binding on the parties and shall not be re-litigated at trial.

All briefs, declarations, affidavits, trial briefs, proposed jury instructions, motions, proposed findings of fact and conclusions of law, sentencing position statements, and pre-sentence investigation reports shall be served and filed in the cause. Unless a party does not have access to a computer or the internet, bench copies of all such documents shall be submitted electronically via the internet at <http://motion.co.franklin.wa.us/>. Parties without access to a computer and the internet shall deliver bench copies to the Court administrator. All bench copies must be submitted not later than nine (9:00) o'clock a.m., one (1) court day prior to the scheduled hearing, proceeding or trial. No bench copies shall be submitted to the Court unless prior thereto or simultaneously therewith a copy thereof has been served upon or mailed to opposing counsel. All paper bench copies will be destroyed one (1) week after the original date noted for hearing unless counsel requests copies be returned with return postage arranged, or unless Court Administration is advised of the new hearing date. When hearings are continued, the parties shall amend the hearing date associated with all bench copies submitted electronically.

[Adopted Effective April 1, 1986, Amended September 1, 2011]
